



**BEFORE THE PLANNING COMMISSION
OF THE CITY OF CANBY**

**A REQUEST FOR DESIGN REVIEW
APPROVAL OF A RETROFIT FOR AN
EXISTING STRUCTURE IN THE
DOWNTOWN COMMERCIAL OVERLAY
ZONE**

)
)
)
)
)
)
)

**FINDINGS, CONCLUSION & FINAL ORDER
DR 21-06
BEER LIBRARY**

NATURE OF THE APPLICATION

The project applicant, Canby Library Holdings, LLC, requests Planning Commission approval to renovate the City's former library into a commercial mixed-use building containing a brewery, four micro-kitchens, and three retail spaces. Exterior renovations of the building would include a covered outdoor roof patio. Approval of the project requires Planning Commission approval of Site and Design Review Application DR 21-06.

The project site is the City of Canby's former public library, which is a one-story, 10,961-square-foot unreinforced masonry building in the heart of downtown Canby. The building was built in 1973 but has been vacant since 2017 when the library moved to its current location on NW 2nd Avenue. Covering the entirety of its underlying parcel, the existing building fronts directly onto NW 3rd Avenue and N Holly Street. The building facades along these frontages are located directly on the public sidewalk, with angled street parking adjacent to both sidewalks. The site contains no onsite parking, vegetation, trees, or any other kind of undeveloped space. A mid-block alley traverses the southern boundary of the project site.

The project site is zoned C-1, Downtown Commercial, and is in Core Commercial (CC) subarea of the Downtown Canby Overlay (DCO) zone. In the City's Comprehensive Plan, the site is designated for Downtown Commercial (DC) uses.

Due to its location in downtown Canby, the project site is surrounded by a mix of commercial, retail, office, and residential uses. Diagonally across the 3rd Avenue/Holly Street intersection is Wait Park, the City's central outdoor gathering and event space. This park features tall mature trees, grass lawns, a gazebo/bandstand, playgrounds, bathrooms, and free Wi-Fi. Many of the community's public events are held in Wait Park, along 3rd Avenue and Holly Street, or a combination of the two. Canby's weekend farmer's market is held on N Holly Street in front of the project site on Saturdays during the warmer months.

To the north across NW 3rd Avenue is a one-story dentistry practice and the two-story mixed-use Bettis Building containing offices. To the immediate east of the project site (and sharing a common wall) is a reprographics company. To the south across the alley is a mixed use building that

contains a coffee shop/restaurant, professional offices, and three apartments on an alley-facing second story. To the west across N Holly Street is a single-family home facing Wait Park. A salon located in a former house faces east toward the project site.

HEARINGS

The Planning Commission considered application **DR 21-06** after the duly noticed hearing on October 11, 2021. At the hearing, the Planning Commission moved to approve the application (**DR 21-06 – Canby Beer Library**) by a 4/1 verbal vote in affirmation with one commissioner abstaining from the vote. These Findings are entered to document the approval.

CRITERIA AND STANDARDS

In judging whether or not the aforementioned application shall be approved, the Planning Commission determines whether criteria from the City of Canby Land Development and Planning Ordinance are met, or can be met by observance of conditions. Applicable code criteria and standards were reviewed in the Staff Report dated October 1, 2021.

FINDINGS AND REASONS

The Staff Report was presented, and written and oral testimony was received at the public hearing. The Planning Commission listened to a variety of testimony and indicated their belief that the project met the approval criteria and that certain impacts could be mitigated by the conditions of approval stated at the hearing and in the staff report.

CONCLUSION

In summary, the Planning Commission reviewed the staff report, supplemental memorandum, and public hearing testimony and determined that the project as proposed met the applicable approval criteria.

ORDER

The Planning Commission concludes that, with the following conditions, the applications meet the approval criteria. Therefore, it is ordered by the Planning Commission of the City of Canby that **Canby Beer Library (DR 21-06)** is approved subject to the stated conditions of approval included in this document.

CONDITIONS OF APPROVAL

Public and Utility Improvements:

1. All public improvements shall comply with applicable City of Canby Public Works Design Standards. Street improvements, if any, shall be designed and constructed (or bonded) to the satisfaction of the City Engineer. (Public Works/City Engineer)
2. All new or improved sidewalks must be designed and/or reconstructed so that they meet current ADA standards. (Public Works/City Engineer)
3. An acceptable design/redesign for improved flow of rain drains to weepholes in curblines of N. Holly Street is required. This will be verified and accepted during the preconstruction phase of the project. (Public Works/City Engineer)

4. Sanitary sewer service shall be extended to serve the facility to the satisfaction of the City Engineer and Public Works Department. (Public Works/City Engineer)
5. Water and electric service shall be extended to serve the facility to the satisfaction of the City Engineer and Canby Utility. Water services shall be constructed in conformance with Canby Utility requirements. (Public Works/City Engineer)
6. Any alterations or modifications to the public alley at the rear of the building shall be shown on submitted construction drawings and shall be designed to the satisfaction of the City Engineer and Public Works Department. (Public Works/City Engineer)
7. A grease trap is required for this development. The developer shall coordinate with the Wastewater Treatment Plant staff and Public Works to satisfy the grease trap requirements. (Public Works)
8. All Canby Utility System Development Charges must be paid in order to start construction. (Canby Utility)
9. New bollards protecting the replacement power pole are required to be placed by the developer. (Canby Utility)
10. A FDC is required at the SE corner of NW 3rd Ave and N Holly Street. (Canby Utility / Canby Fire).
11. Water services and fire protection shall be constructed in conformance with Canby Utility and Canby Fire requirements. The applicant shall coordinate directly with these agencies. (Canby Fire)
12. The project applicant shall coordinate with Canby Fire to identify appropriate locations for fire hydrants, if needed. Prior to site plan approval, the project applicant shall provide an updated site plan identifying hydrant locations to the satisfaction of Canby Fire. (Canby Fire)

Project Design/Site Plan Approval:

13. Final design drawings submitted to the City shall demonstrate that roof-mounted mechanical equipment will be screened to the extent feasible. Special consideration shall be given to screening the appearance and noise of rooftop mechanical equipment installed across the alley from the existing second-story apartments to the southeast. (Planning)
14. A lighting plan shall be submitted to the City concurrently with final design drawings. Building lighting along the southeast-facing elevations of the building shall be sufficiently shielded, consistent with the CMC, to minimize adverse impacts to existing second-story apartments across the alley to the southeast. All proposed lighting shall meet the standards described in Chapter 16.43 and must have cut-off shielding and be installed as shown in the submitted design drawings. (Planning)
15. The developer shall consult with Canby Disposal regarding final architectural plans and design considerations for solid waste pickup. (Canby Disposal)
16. The applicant shall work with Canby Utility and the Canby Public Works Department in order to provide the appropriate connections to all required utilities prior to site plan approval. (Public Works)

Building Permits:

17. Pursuant to Subsection 16.49.060 of the Canby Municipal Code, Site and Design Review Board approvals shall be void after twelve (12) months unless: A building permit has been issued and substantial construction pursuant thereto has taken place, as defined by the state Uniform Building Code; or the Planning Department finds that there have been no changes in

any Ordinances, standards, regulations or other conditions affecting the previously approved project so as to warrant its resubmittal. (Ord. 848, Part III, Section 4, 1091). (Planning)

18. An erosion control permit will be required from the City of Canby prior to any on-site disturbance. Erosion control plans shall demonstrate that construction activities will not discharge materials or pollutants into the in-street storm drain. (Planning)
19. The project applicant shall apply for a City of Canby Site Plan Permit, Clackamas County Building permits (including grading permits), and a City of Canby Erosion Control Permit prior to project construction. (Planning/Public Works)
20. Clackamas County Building Services will provide structural, electrical, plumbing, and mechanical plan review and inspection services. (Clackamas County Building Services)
21. Construction plans shall be designed and stamped by a Professional Engineer registered in the State of Oregon. (City Engineer)
22. All future building tenants shall submit signage applications to the City prior to installation of any signs (including wall and blade signs). Proposed signs shall conform to provisions of Chapter 16.42 of the CMC and shall secure a building permit from Clackamas County Building Services prior to their installation if applicable. (Planning)

Prior to Occupancy:

23. A narrative with accompanying materials shall be provided during the final certificate of occupancy process that demonstrates how the project is consistent with the conditions of approval stated in this Staff Report. (Planning)
24. Prior to occupancy, sidewalks shall be improved consistent with approved construction documents. (Planning)